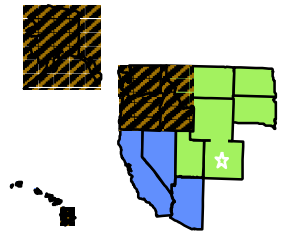




**US Army Environmental Center
Western Regional Environmental Office
REGION 8 – JUNE 2006**

WESTERN REGION REVIEW



The WESTERN REGION REVIEW provides current information on significant regulatory & legislative developments, as well as related information affecting DOD activities & operations in the Federal Region 8 area: Colorado, Montana, North Dakota, South Dakota, Utah, & Wyoming. This information is intended for general guidance, and the reader should review the cited source documents for more detailed information to determine the applicability and scope of the referenced legislation and regulations. When used within the framework of ISO14001, this Review can be part of an installation's procedures to satisfy Section 4.3.2 (Legal and other requirements) of ISO14001. Please contact your regional point of contact if any pending rules or laws in this document will have a significant impact on your operations.

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WREO Information About Monthly Reviews

The monthly Western Regional Reviews are available by e-mail distribution. If you would like to receive the Review in electronic format each month, please e-mail: jmiller@rma.army.mil. Write "Subscription" in the subject line and include your name and e-mail address. For general comments, please contact Bob Gurdikian at the Western Regional Environmental Office, U.S. Custom House, 721 19th Street, Room 427, Denver, CO 80202-2500; phone: (303) 844-0952, or fax: (303) 844-0951.

The WREO's mission is to support the Army/DoD through coordination of regional environmental issues and activities. Part of its mission is to provide regional reviews of legislative and regulatory issues relevant to the Army/DoD in the Western Region. The information contained in this review is current as of the 20th day of the previous month.

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FEDERAL AGENCY NEWS & REGULATORY DEVELOPMENTS



ENVIRONMENTAL PROTECTION AGENCY (EPA) INFORMATION

AIR INFORMATION:

NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS (NESHAP)

GENERAL PROVISIONS – The United States Environmental Protection Agency (EPA) issued amendments allowing owners and operators to deviate from their startup, shutdown, and malfunction (SSM) plan, but they must minimize emissions at all times during SSM periods ([71 FR 20445](#)). For more information, contact Paul Josephson, United States Army Environmental Center (USAEC), at (410) 436-1205. A fact sheet is available at http://www.epa.gov/ttn/oarpg/t3/fact_sheets/generalprov_fsfinal.html.

TRANSPORT OF EMISSIONS OF NITROGEN OXIDES (NO_x) AND SULFUR DIOXIDE (SO₂)

– The EPA has released a final rule to address the interstate transport of emissions of NO_x and SO₂ that contribute significantly to nonattainment and maintenance problems with respect to the national ambient air quality standards (NAAQS) for fine particulate matter (PM 2.5) and 8-hour ozone ([71 FR 25327](#)). This final rule is effective June 27, 2006. For more information, contact Larry Webber, USAEC, at (410) 436-1213.

HIGHWAY AND NON-ROAD DIESEL FUELS AMENDMENTS – The EPA has issued a direct final rulemaking that amends fuel provisions of the Highway Diesel Rule and Non Road Diesel Rule ([71 FR 25706](#)). This action is intended to facilitate compliance with the diesel fuel regulations and ensure a smooth transition to ultra low sulfur diesel fuel. For more information, contact Larry Webber, USAEC, at (410) 436-1213.

NESHAP SITE REMEDIATION – The EPA proposes to amend the Site Remediation National Emission Standards for Hazardous Air Pollutants (NESHAP) that addresses emissions of hazardous air pollutants (HAP) from site remediation activities ([71 FR 25531](#)). Comments are due by June 30, 2006. For more information, contact Paul Josephson, USAEC, at (410) 436-1205.

MODEL STATE IDLING LAW – The EPA has released the “Model State Idling Law” (MSIL) that was designed to help create more consistent idling laws around the country with the aim of greater fuel savings, emission reductions, and compliance with such State laws. Idling of military tactical vehicles during periods of training and a motor vehicle being used by the military are recommended for exemption. For more information, contact Larry Webber, USAEC, at (410) 436-1213. The MSIL can be downloaded at <http://www.epa.gov/oms/smartway/idle-state.htm#modellaw>.

CONTROL OF HAZARDOUS AIR POLLUTANTS FROM MOBILE SOURCES – The EPA has added portable fuel containers to the list of product categories for regulation in order to achieve

VOC emission reductions (71 FR 28320). This includes portable liquid fuel containers and does not apply to containers holding non-liquid fuels (e.g., propane). For more information, contact Paul Josephson, USAEC, at (410) 436-1205.

MISCELLANEOUS COATING MANUFACTURING – The EPA is proposing amendments to the NESHAP rules for miscellaneous coating manufacturing that clarifies that coating manufacturing means the production of coatings using operations such as mixing and blending; not reaction or separation processes used in chemical manufacturing (71 FR 28639). Comments are due July 3, 2006. For more information, contact Paul Josephson, USAEC, at (410) 436-1205.

WATER INFORMATION:

WADEABLE STREAMS ASSESSMENT – The EPA has released the Wadeable Streams Assessment, which is the first consistent evaluation of the conditions of streams that feed rivers, lakes, and coastal waters. Comments are due by June 30, 2006. The draft report can be downloaded at <http://www.epa.gov/owow/streamsurvey/>

WASTE INFORMATION:

None.

OTHER INFORMATION:

LOW-SPEED VEHICLES – National Highway Traffic Safety Administration (NHTSA) has amended the definition of "low-speed vehicle" by increasing the gross vehicle weight rating limit for the class to 3,000 pounds (71 FR 20026). This new definition is in response to the growing public interest in using golf cars and other similarly sized small vehicles to make short trips within self-contained communities. Comments were due June 5, 2006.

SOFTWARE FOR ESTIMATION OF ACUTE OR CHRONIC TOXICITY FOR ECOLOGICAL RISK ASSESSMENTS – The EPA has developed software for estimation of acute toxicity to aquatic organisms or wildlife based on correlation of data from other species. More information can be found at <http://www.epa.gov/ceampubl/fchain/ace/index.htm>.

SAFER DETERGENTS STEWARDSHIP INITIATIVE – The EPA is developing the Safer Detergents Stewardship Initiative to recognize companies, facilities, and others who voluntarily phase out or commit to phasing out the manufacture or use of nonphenol ethoxylate surfactants (71 FR 26761). More information is at <http://www.epa.gov/dfe/pubs/projects/formulat/sdsi.htm>.

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OTHER FEDERAL INFORMATION

GUIDELINES FOR VOLUNTARY GREENHOUSE GAS REPORTING – The United States Department of Energy (DOE) has released the final general guidelines and final technical guidelines for voluntary greenhouse gas reporting, including reporting of greenhouse gas emissions, reductions in these emissions, and carbon sequestration activities ([71 FR 20783](#)). The final guidelines were effective June 1, 2006.

DRAFT NATIONAL BALD EAGLE MANAGEMENT GUIDELINES – The United States Fish and Wildlife Service (USFWS) has extended the comment period for the draft National Bald Eagle Management Guidelines ([71 FR 28369](#)). The USFWS has developed guidelines on avoiding impact to eagles by people who engage in recreation or land use activities. Comments are now due June 19, 2006. For more information, contact Jay Rubinoff, USAEC, at (410) 436-1564. The draft guidelines are at <http://www.fws.gov/migratorybirds/baldeagle.html>.



UPCOMING CONFERENCES, SYMPOSIUMS AND TRAINING ANNOUNCEMENTS

EVENT	DATE	LOCATION	DETAILS
EPA Training Courses	Multiple Dates	Multiple Sites	The EPA continually offers regional and national training opportunities on a variety of subjects. www.trainex.org
American Water Works Association Annual Conference	June 11-15, 2006	San Antonio, TX	Learn about all aspects of the water industry. http://www.awwa.org/ace06/
Natural Resources Compliance Course	June 20 -23, 2006	Colorado Springs, CO	This course offers instruction in specific natural resources laws, regulations, policies, Executive Orders, DoD instructions, and other guidance, noting Service-specific requirements. The course addresses stewardship, preservation and process; fish, game and wildlife management laws; protection of wetlands, waterways and other protected ecological areas; forest and land use management laws; and interservice cooperation. For more information go to https://www.cecos.navy.mil/showcourse.cfm?CourseID=42 .
Air & Waste Management Association Annual Conference and Exhibition	June 20 -23, 2006	New Orleans, LA	The air quality and waste management challenges faced during earliest states of Hurricane Katrina recovery and the firsthand availability of the experts who dealt with those challenges throughout the Gulf Coast region affords conference attendees the unique opportunity for a program closely tied with A&WMA's mission. http://www.awma.org/ACE2006/
Community Involvement Conference & Training	June 27 – 30, 2006	Milwaukee, WI	This conference brings together public participation and community involvement professionals from EPA and its federal, state, tribal, and local partners. http://www.epa.gov/superfund/action/community/ciconference/2006/index.htm
Health Risk Communication Workshops	July 5-7, 2006 August 22-24, 2006	San Antonio, TX Colorado Springs, CO	The Risk Communication Training Program prepares defense agencies, uniformed services, and veteran services personnel to interact better with both internal and external audiences in sensitive and challenging situations related to encroachment, sustainability, environmental, and other topics. http://chppm-www.apgea.army.mil/risk
UXO/Countermines/Range Forum 2006	July 10 – 13, 2006	Las Vegas, NV	This conference assembles the best research to showcase cutting-edge technologies, ideas, programs and partnerships. The most difficult challenges in supporting the war fighter will be addressed in technical presentations, exhibits, speeches, and networking events. http://www.theforum2006.com/
Historic Preservation Law and Section 106 Compliance Course	July 18 – 20, 2006	Langley, VA	This course emphasizes legal compliance (the National Historic Preservation Act Section 106 process) through the use of actual case studies. It addresses legislation and the process to meet the requirements of the law. Course content includes, but is not limited to, the stewardship role, use of historic properties, and communications with related oversight agencies. For more information, please visit https://www.cecos.navy.mil/showcourse.cfm?CourseID=24 .
StormCon	July 24 – 27, 2006	Denver, CO	The fifth annual North American Surface Water Quality Conference and Exposition will offer sessions on best management practices and research designed to provide solutions to community surface water quality problems and compliance challenges. http://www.stormcon.com/sc.html
Integrated Training Area Management Workshop	August 7-10, 2006	Manhattan, KS	The theme for this year's Workshop is "Sustaining Army Training in the Nation's Heartland". https://srp.army.mil/ITAM/Workshop/UpcomingWorkshop.aspx?Areald=5

EVENT	DATE	LOCATION	DETAILS
Introduction to Cultural Resources Management	August 15 – 17, 2006	New London, CT	This course provides an integrated overview of all pertinent laws and regulations needed to understand and fulfill cultural resource management responsibilities. For more information, please visit https://www.cecos.navy.mil/showcourse.cfm?CourseID=25 .
Air Innovations Conference	September 6-8, 2006	Denver, CO	Sponsored by EPA and the Department of Energy, this conference provides the latest information on new and innovative technologies to achieve clean air goals. http://www.cleanairinfo.com/airinnovations/

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STATE REGULATORY DEVELOPMENTS, LEGISLATION, AND NEWS



COLORADO

REGULATORY DEVELOPMENTS & OTHER STATE INFORMATION

AIR INFORMATION:

IMPLEMENTATION OF THE CLEAN AIR MERCURY RULE – The Colorado Department of Public Health and Environment (CDPHE) is discussing the implementation of the Clean Air Mercury Rule (CAMR). It is anticipated that CDPHE will adopt the federal rule by reference almost in its entirety. A formal hearing is expected for September 2006. For more information, contact Melanie Loyzim at (303) 692-3147. The CAMR Web site is available at <http://www.cdphe.state.co.us/ap/reg6.html>.

FOUR CORNERS AIR QUALITY TASK FORCE – The CDPHE, in conjunction with the New Mexico Environment Department, has formed an Air Quality Task Force to look at air quality issues in the Four Corners region. The Cumulative Effects Group has released a draft Strategic Emissions Reduction Plan for stationary oil and gas sources in the San Juan Basin. The program is targeting coalbed methane and natural gas, but may be expanded to oil at a later time. Comments are being accepted on an ongoing basis. For more information, contact Chris Dann at (303) 692-3281. The Task Force Web site is available at <http://www.nmenv.state.nm.us/aqb/4C/index.html>.

REVISIONS TO THE COMMON PROVISIONS REGULATION AND REGULATION 3 - The Air Quality Control Commission (AQCC) is proposing to revise the Common Provisions Regulation and Regulation 3, Stationary Source Permitting and Air Pollutant Emission Notice Requirements, to align the regulations with changes recommended by the EPA in their review of Colorado's revisions to its New Source Review (NSR) program. The AQCC will hold a prehearing conference on July 18, 2006. Written comments are due August 3, 2006. A public hearing to consider adoption of the proposed revisions will be held August 17, 2006. For more information, contact Melanie Loyzim at (303) 692-3147. The proposed revisions are available at http://www.dora.state.co.us/pls/real/SB121.Download_file?p_file=F3063/Reg%203%20and%20Com%20Prov%2007_20_06-rev.doc.

WATER INFORMATION:

TRIENNIAL REVIEW FOR REVISIONS TO THE SAN JUAN AND GUNNISON RIVER BASINS – The Water Quality Control Commission (WQCC) is considering revisions to the water quality classifications and numeric standards of the San Juan, Dolores, and Gunnison River Basins (Regulations 34 and 35). The hearing date is scheduled for June 12, 2006. For more information, contact Diana Glaser at (303) 692-3469.

REVISIONS TO THE WATER QUALITY STANDARDS FOR WETLANDS ADJACENT TO THE BIG THOMPSON RIVER – The WQCC is proposing modifications to the water quality

standards for wetlands adjacent to the Big Thompson River. Prehearing statements are due June 6, 2006. A prehearing conference will be held July 13, 2006. For more information, contact Diana Glaser at (303) 692-3469. The rulemaking Web site is available at http://www.dora.state.co.us/pls/real/SB121_Web.Show_Rule?p_rule_id=1716.

2006 303(D) LIST – The CDPHE has adopted the 2006 303(d) list. The list was submitted to the EPA for final approval on March 21, 2006. On April 12, 2006, the EPA partially approved the 2006 list by approving all but one of the State's designations. Specifically, 119 waterbodies were approved, however, Bear Creek was determined to not be meeting applicable water quality standards and the State's decision not to include the water body on the list was disapproved. On April 25 2006, the EPA released its proposed addition of Bear Creek to the 2006 303(d) list for public comment. Comments are due June 20, 2006. For more information, contact Phil Hegeman at (303) 692-3500. The adopted lists are available at <http://www.cdphe.state.co.us/op/regs/waterregs/100293wqlimitedsegtdls.pdf> and <http://www.cdphe.state.co.us/op/regs/waterregs/100294wqccmonitoringevaluationlist.pdf>.

REVISIONS TO THE WATER AND WASTEWATER FACILITY OPERATORS

CERTIFICATION REQUIREMENTS – The CDPHE has made amendments to the water and wastewater facility operators certification requirements that clarify the educational requirements for operator certification. The amendments took effect April 30, 2006. For more information, contact Betsy Beaver at (303) 692-3503. The final regulations are available at <http://www.cdphe.state.co.us/op/ocb/reg100/0602FinalReg100.pdf>.

AMENDMENTS TO THE TEMPERATURE CRITERIA METHODOLOGY – The WQCC has revised its methodology for calculating temperature criteria. The WQCC adopted the revised criteria on April 10, 2006. They are set to expire On December 31, 2007. For more information, contact Diana Glaser at (303) 692-3469. <http://www.cdphe.state.co.us/op/wqcc/MeetingsandHearings/HearingNotices/AAH/TCMAAH.html>

WASTE INFORMATION:

PROPOSED GUIDANCE FOR ASBESTOS-CONTAMINATED SOIL – The CDPHE is proposing the development of a guidance document addressing the specific management requirements for asbestos-contaminated soil. The CDPHE is accepting comments on the draft guidance document through June 30, 2006. The document is not expected to be finalized in the near future as CDPHE expects additional revisions while the guidance is field tested. For more information, contact Colleen Brisnehan at (303) 692-3357. The guidance Web site is available at <http://www.cdphe.state.co.us/hm/asbestosinsoil.htm>.

LEGISLATIVE DEVELOPMENTS

The 2006 legislative session began on January 11, 2006 and ended on May 10, 2006. For information on the legislative session, link: <http://www.leg.state.co.us/>.

Category	Bill #	Bill Sponsor	Description	Current Status	Introduced	Passed 1 st House	Passed 2 nd House	Final Status
Air	HB 1113	Representative Anne McGihon (D) Senator Dan Grossman (D)	Proposes to allow state air quality regulations and implementation plans to be more stringent than federal law in preventing or reducing air pollution, consistent with the legislative declaration of the Colorado Air Pollution Prevention and Control Act.		1/13/06			Bill did not pass
	HB 1177	Representative Anne McGihon (D) Senator Brandon Shaffer (D)	Proposes to continue the asbestos control program in CDPHE until July 1, 2013.		1/23/06	2/21/06	3/10/06	Signed by Governor 3/27/06
	HB 1302	Representative Joe Stengel (R)	Proposes to eliminate the existing basic auto emissions program. Expands the Clean Screen Program.	Sent to Governor 5/5/06	2/3/06	5/1/06	5/4/06	
	HB 1309	Representative Anne McGihon (D) Senator Dan Grossman (D)	Proposes to allow state air quality regulations and implementation plans to be more stringent than federal law in preventing or reducing air pollution, consistent with the legislative declaration of the Colorado Air Pollution Prevention and Control Act.		2/5/06	2/27/06	4/3/06	Vetoed by Governor 4/24/06

Category	Bill #	Bill Sponsor	Description	Current Status	Introduced	Passed 1 st House	Passed 2 nd House	Final Status
Air	SB 58	Senator Ron May (R) Representative Mark Larson (R)	Proposes to change the requirement for periodic emissions inspections of light-duty diesel motor vehicles from once every 12 months to once every 24 months for vehicles of model year 2004 or newer.		1/12/06	3/20/06	4/24/06	Signed by Governor 5/11/06
Water	HB 1253	Representative James Sullivan (R) Senator Bob Bacon (D)	Grants county board of commissioners authority to regulate water quality related issues, as is necessary to comply with rules promulgated by the WQCC.		1/31/06			Bill did not pass
	HB 1337	Representative Dorothy Butcher (D) Senator Lewis Entz (R)	Proposes to change the civil penalties for violation of water quality control provisions to not more than \$25,000 per violation per day.	Waiting for Senate President and House Speaker signatures	2/16/06	3/22/06	5/5/06	
	SB 34	Senator Lewis Entz (R) Representative Mary Hodge (D)	Proposes to specify that the Board of Directors of the Colorado Water Resources and Power Development Authority shall include one member who is experienced in public health issues related to water quality.		1/11/06	1/30/06	2/17/06	Signed by Governor 3/31/06
	SB 132	Representative Greg Brophy (R) Representative Mary Hodge (D)	Proposes to extend the repeal date of the domestic wastewater treatment grant program to allow the state to enter into contracts with counties on behalf of unincorporated areas for construction of high priority domestic wastewater treatment projects.		1/27/06	2/20/06	3/10/06	Signed by Governor 3/31/06

Category	Bill #	Bill Sponsor	Description	Current Status	Introduced	Passed 1 st House	Passed 2 nd House	Final Status
Water	SB 179	Senator Jim Isgar (D) Representative Joshua Penry (R)	Proposes to create the Water Supply Reserve Account in the Severance Tax Trust Fund.	Sent to Governor 5/22/06	2/6/06	3/31/06	5/5/06	
Waste	HB 1074	Representative Judy Solano (D) Senator Steve Johnson (R)	Proposes to extend the waste tire recycling fee. Proposes to require that the Advanced Technology Fund be used to finance research and development with regard to waste diversion and recycling strategies.		1/11/06	2/6/06	3/14/06	Signed by Governor 3/31/06
	HB 1303	Representative Tom Plant (D) Senator Abel Tapia (D)	Proposes to create a county environmental hazard remediation fund within the state treasury.		2/2/06			Bill did not pass
	SB 8	Senator Ron May (R) Representative John Pommer (D)	Proposes to require motor vehicles that weigh less than 10,000 pounds and transport hazardous waste materials to meet the minimum standards for commercial vehicles.	Sent to Governor 5/22/06	1/11/06	1/31/06	4/27/06	
Natural Resources	HB 1311	Representative Kathleen Curry (D) Senator Jim Isgar (D)	Proposes to appropriate money from the Species Conservation Trust Fund for programs submitted by the Executive Director of the DNR that are designed to conserve native species that have been listed as threatened or endangered under state or federal law.	Sent to Governor 5/4/06	2/5/06	4/17/06	5/3/06	

Category	Bill #	Bill Sponsor	Description	Current Status	Introduced	Passed 1 st House	Passed 2 nd House	Final Status
Land Use	HB 1025	Representative Morgan Carroll (D) Senator Bob Hagedorn (D)	Proposes to create concurrent legislative jurisdiction between the state of Colorado and the United States over specified real property within the Buckley Air Force Base. The bill would cede concurrent legislative jurisdiction over specified tracts within the Base.		1/11/06	1/23/06	3/14/06	Signed by Governor 3/27/06
	HB 1053	Representative John Pommer (D) Senator Lewis Entz (R)	Proposes to allow each local government with a population greater than 10,000 to prepare, adopt and update a growth management master plan.		1/11/06	2/20/06		Bill did not pass
	HB 1096	Representative Lynn Hefley (R)	Proposes to prohibit a district from having and exercising the power of eminent domain or dominant eminent domain unless certain conditions have been satisfied.		1/13/06			Bill did not pass
	HB 1099	Representative Cory Gardner (R) Senator Greg Brophy (R)	Proposes to prohibit the state or any political subdivision from exercising the power of eminent domain except where the exercise of the power is for a public use as defined in the act.		1/13/06			Bill did not pass

Category	Bill #	Bill Sponsor	Description	Current Status	Introduced	Passed 1 st House	Passed 2 nd House	Final Status
Land Use	HB 1208	Representative Kevin Lundberg (R) Senator Shawn Mitchell (R)	Proposes to provide that, in any case in which private property has been taken by condemnation, the property owner will be awarded an additional and special amount of compensation for the violation of the property owner's private property rights and for any additional costs and damages incurred by the property owner resulting from the condemnation.		1/27/06			Bill did not pass
	SB 154	Senator Ron May (R) Representative Jack Pommer (D)	Proposes to cross-reference various statutory provisions pertaining to the power of eminent domain.		1/31/06	2/24/06	3/21/06	Signed by Governor 4/6/06
	SB 169	Senator Lois Tochtrop (D)	Proposes to make changes to requirements of establishment and review of an urban renewal authority or the approval of an urban renewal plan.		1/30/06			Bill did not pass
	HCR 1001	Representative Al White Senator Lois Tochtrop (D)	Proposes to provide that private property will not be taken or damaged for public or private use without just compensation.		2/14/06			Did not pass
Other	HB 1095	Representative Paul Weissmann (R) Senator Deanna Hanna (D)	Relates to preferences for the purchase of environmentally friendly products by government entities.		1/13/06	1/31/06	3/24/06	Governor vetoed 4/24/06

Category	Bill #	Bill Sponsor	Description	Current Status	Introduced	Passed 1 st House	Passed 2 nd House	Final Status
Other	HB 1239	Representative Diane Hoppe (R) Senator Jim Isgar (D)	Proposes to amend the sunset provision of the "Pesticide Applicators' Act."		1/31/06	2/20/06	3/16/06	Signed by Governor 3/31/06
	HB 1265	Representative K. Jerry Frangas (D) Senator Paula Sandoval (D)	Proposes additional requirements pertaining to lead based paint abatement		2/1/06	2/21/06	3/9/06	Signed by Governor 3/27/06
	HB 1274	Representative Mary Hodge (D) Senator Lewis Entz (R)	Proposes to continue the regulation for pesticide applicators by the Commissioner of Agriculture until July 1, 2015.	Sent to Governor 4/28/06	2/2/06	3/14/06	4/24/06	
	HB 1317	Representative Alice Madden (D) Senator Joan Fitz-Gerald (D)	Proposes to direct the Colorado Energy Research Institute and the Energy and Environmental Security Initiative at the University of Colorado to annually create a Colorado energy profile containing up-to-date statistical energy information relating to Colorado.	Sent to Governor 5/11/06	2/6/06	3/22/06	5/2/06	
	SB 3	Senator Ken Kester (R)	Proposes the use of biofuels in state buildings.		1/11/06	1/31/06	2/27/06	Signed by Governor 3/31/06

Category	Bill #	Bill Sponsor	Description	Current Status	Introduced	Passed 1 st House	Passed 2 nd House	Final Status
Other	SB 16	Senator Lewis Entz (R) Representative John Pommer (D)	Proposes to require the Executive Director of the Department of Personnel to establish a policy by January 1, 2007, requiring all state-owned diesel vehicles and equipment to use a fuel blend of 20% biodiesel and 80% petroleum diesel.		1/11/06	2/1/06	2/27/06	Signed by Governor 3/31/06
	SB 138	Senator Brandon Shaffer (D) Representative Cory Gardner (R)	Proposes to address Interim Committee on Rural Economic Development Issues. Requires that all gasoline sold in Colorado contain a percentage of denatured ethanol by a certain date.	Sent to Governor 5/22/06	1/27/06	4/27/06	5/4/06	
	HJR 1006	Representative Alice Madden (D) Senator Brandon Shaffer (D)	Proposes to designate 25 January as Colorado Military and Veterans Appreciation Day.	Signed by President of the Senate 1/30/06	1/20/06	1/25/06	1/25/06	

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MONTANA

REGULATORY DEVELOPMENTS & OTHER STATE INFORMATION

AIR INFORMATION:

MERCURY CONTROL PLAN FOR COAL-FIRED ELECTRIC GENERATING UNITS – The Montana Department of Environmental Quality (DEQ) is discussing the development of a mercury control plan for coal-fired electrical generating facilities. Written comments are due July 6, 2006. Final adoption is anticipated in November 2006. For more information, contact Debbie Skibicki at (406) 444-1472. The proposed revisions are available at http://deq.mt.gov/ber/2006_Agendas/Mar06/IIIB1ExecutiveSummary.pdf.

ANNUAL UPDATES TO THE AIR QUALITY REGULATIONS – The DEQ is proposing the adoption of updated federal rules into the state air pollution regulations. Written comments were due May 18, 2006. For more information, contact Robert Habeck at (406) 444-7305. http://deq.mt.gov/ber/2006_Agendas/Mar06/IIIB2NoticepubHrgPropAmend.pdf

WATER INFORMATION:

None.

WASTE INFORMATION:

None.

OTHER INFORMATION:

IMPLEMENTATION OF THE STATE MANAGEMENT PLAN FOR THE GREY WOLF – The Montana Department of Fish, Wildlife and Parks is discussing the implementation of the State Wolf Management Plan. The Environmental Quality Commission (EQC) discussed wolf management issues at a hearing held on May 19, 2006. No specific action is anticipated. For more information, contact Steve Knapp at (406) 444-4717. <http://fwp.mt.gov/wildthings/tande/wolf.html>

LEGISLATIVE DEVELOPMENTS

There is no 2006 regular legislative session. For information on the 2005 legislative session, link: <http://www.leg.state.mt.us>.

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NORTH DAKOTA

REGULATORY DEVELOPMENTS & OTHER STATE INFORMATION

AIR INFORMATION:

None.

WATER INFORMATION:

None.

WASTE INFORMATION:

None.

LEGISLATIVE DEVELOPMENTS

There is no 2006 regular legislative session. For information on the 2005 legislative session, link: <http://www.state.nd.us/lr/>.

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SOUTH DAKOTA

REGULATORY DEVELOPMENTS & OTHER STATE INFORMATION

AIR INFORMATION:

None.

WATER INFORMATION:

DRAFT TMDLS – The South Dakota Department of Environment and Natural Resources is discussing TMDLs for two waterbodies. Please see the table below for the location, criteria pollutants, and comments regarding development. For more information, contact Gene Stueven at (605) 773-3296.

Water body	Basin	Criteria Pollutant	Comments
Sheridan Lake	Cheyenne River	Trophic state index (chlorophyll, phosphorus, and seci disk)	The TMDL was released and comments were due May 1, 2006. http://www.state.sd.us/denr/DFTA/WatershedProtection/TMDL/TMDL_Sheridan.pdf
Dante Lake	Missouri River	Trophic state index	Comments were due May 22, 2006. http://www.state.sd.us/denr/DFTA/WatershedProtection/TMDL/TMDL_Dante.pdf

WASTE INFORMATION:

None.

OTHER INFORMATION:

ADDITION OF FIELD BINDWEED AND REMOVAL OF SALT CEDAR FROM THE LOCAL NOXIOUS WEED LIST – The South Dakota Department of Agriculture has added field bindweed and removed salt cedar from the local noxious weed list. The amendments were adopted on April 12, 2006 and took effect on May 9, 2006. For more information, contact Ron Moehring at (605) 773-3796. The noxious weed list is available at <http://www.state.sd.us/doa/das/noxious.htm>.

LEGISLATIVE DEVELOPMENTS

The 2006 legislative session began on January 10, 2006 and ended March 20, 2006. For information on the legislative session, link: <http://legis.state.sd.us/index.cfm>.

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UTAH

REGULATORY DEVELOPMENTS & OTHER STATE INFORMATION

AIR INFORMATION:

AMENDMENTS TO THE SMOKE MANAGEMENT REGULATIONS – The Utah Department of Environmental Quality (DEQ) has amended R307-204 relating to smoke management when igniting "small prescribed fires" and "small prescribed pile fires" as defined in the DEQ's emissions standards. The revisions allow land managers to ignite these types of fires when the clearing index is between 500 and 400 with approval of the Executive Secretary. The amendments were approved and took effect on April 7, 2006. For more information, contact Matt Carlile at (801) 536-4136. <http://rules.utah.gov/publicat/bulletin/2006/20060301/28501.htm>

WATER INFORMATION:

ONSITE WASTEWATER SYSTEMS – The DEQ is proposing amendments to R317-4, Onsite Wastewater Systems. The DEQ plans to repeal the existing "alternative" methods and replace them with new, clearer methodologies that will better delineate responsibilities among the DEQ and local and state health agencies. Secondly, the DEQ expects to add several new onsite wastewater disposal system technologies to the rules that would allow for the installation of pretreatment systems in soils unsuitable for installation of conventional onsite systems. The rule was considered by the Water Quality Board on May 19, 2006. For more information, contact Kiran Bhayani at (801) 538-6080. The proposed rule text is available at http://waterquality.utah.gov/Rules/R317-4_text_6-6-05.pdf.

AMENDMENTS TO THE RISK BASED CORRECTIVE ACTION GUIDELINES FOR LEAKING UNDERGROUND STORAGE TANKS – The DEQ is proposing to amend the Risk Based Corrective Action guidance documents for leaking underground storage tanks (LUST) to merge the Tier 1 and Tier 2 guidelines into a single corrective action guidance document. The revisions were approved at the Solid and Hazardous Waste Control Board meeting held on May 11, 2006. For more information, contact Mike Peccorelli at (801) 536-4291. General information on the LUST program is available at <http://www.undergroundtanks.utah.gov/index.htm>.

WASTE INFORMATION:

AMENDMENTS TO THE CORRECTIVE ACTION CLEANUP STANDARDS POLICY FOR UNDERGROUND STORAGE TANK AND CERCLA SITES – The DEQ is proposing to amend the Corrective Action Cleanup Standards Policy as it relates to Underground Storage Tanks (USTs) and Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) sites. The revisions would: add references to the maximum contaminant limits (MCLs) or other cleanup standards for soil in addition to the present references to water and air quality standards; allow the Solid and Hazardous Waste Control Board to establish alternative cleanup levels for soil on a case-by-case basis; and incorporate by reference the initial screening levels and Tier 1 Screening Criteria tables, which provide the numeric values to be

used in evaluating sites for cleanup and "No Further Action determinations". The Solid and Hazardous Waste Board held a meeting on May 11, 2006 to discuss the amendments. For more information, contact Gary Astin (801) 536-4103. Notice of the proposed rulemaking is available at <http://rules.utah.gov/publicat/bulletin/2006/20060301/28519.htm>.

LEGISLATIVE DEVELOPMENTS

The 2006 legislative session began on January 16, 2006 and ended on March 1, 2006. For information on the legislative session, link: <http://www.le.state.ut.us/>.

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WYOMING

REGULATORY DEVELOPMENTS & OTHER STATE INFORMATION

AIR INFORMATION:

None.

WATER INFORMATION:

WYOMING POWDER RIVER ASSIMILATIVE CAPACITY ALLOCATION AND CONTROL PROCESS – The Wyoming Department of Environmental Quality (DEQ) is discussing the development of an Assimilative Capacity Allocation and Control Process for the Powder River. The DEQ is currently resolving certain issues regarding implementation and expect to release a definitive plan in summer 2006. For more information, contact Todd Parfitt at (307) 777-6709.

WASTE INFORMATION:

IMPLEMENTATION OF THE UNDERGROUND STORAGE TANK COMPLIANCE ACT OF 2005 – The DEQ is discussing the adoption of regulations implementing the Federal Underground Storage Tank Compliance Act of 2005 (USTCA) in Wyoming. The DEQ held a public workshop on June 2, 2006 to discuss the proposed revisions. For more information, contact Robert Lucht at (307) 777-7095. The rulemaking Web site is available at http://deq.state.wy.us/wqd/STP/amendments_to_Chapter_17.htm.

LEGISLATIVE DEVELOPMENTS

The 2006 legislative session began on February 13, 2006 and ended March 10, 2006. For information on the legislative session, link: <http://legisweb.state.wy.us>.

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